

Maine Town & City

The magazine of the Maine Municipal Association

February 2021

Vacationland or Rental Land?

Two towns move carefully
with short-term rentals

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Climate Council Summary

Kittery's Holiday Spirit



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We Can Work It Out



COVID-19 presents many challenges in municipal employment, from keeping morale up to making the workplace as safe as possible.

*Towns and cities that want to create a memorable community brand can start with these 10 tips. **Page 19***

*MMA reads you, and we are responding to the growing demands that municipalities face in a number of ways. **Page 5***

ABOUT THE COVER: This painting-like photo was taken adjacent to Thunder Hole at Acadia National Park.

Maine Climate Council

MMA State & Federal Relations staffers *Rebecca Graham* and *Neal Goldberg* penned a municipally relevant summary of this council's proposals. **Page 11**

Short-term Rental Regulation

Leaders in Bar Harbor and *Cape Elizabeth* explain how their communities are carefully, and transparently, addressing the Airbnb/VRBO trend. **Page 21**

Kittery Wouldn't be 'Grinched'

*You might think COVID-19 dampened holiday festivities, but Christmas time in this retail hub sparked inspiration. **Page 27***

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A MESSAGE FROM MMA

BY ERIC CONRAD / EDITOR

Guiding towns and cities during turbulent times

Sometimes the best way to serve our members is simply to recognize the impending, timely needs you all face, and address them head-on. We're trying to do that at the Maine Municipal Association right now, knowing – and hearing – that towns and cities face literally unprecedented challenges right now on issues related to finances, COVID-19, recruiting young people to join the municipal work force, and much more. All the while, the normal challenges of running local government, and serving citizens, remain.

How, exactly, is MMA trying to help?

Maine Moderator's Manual

Our Legal Services Department last month completed a revamp of this important document. We know that the vast majority of our members depend on town meetings as their primary way of passing their annual budgets, ordinances and warrants.

This publication, last updated in 2005, includes new legal references and a step-by-step guide for town meeting moderators to follow this spring. Our legal experts recommend that members with the town meeting form of government adopt the Maine Moderator's Manual and follow it, in

order to run efficient and legally proper town meetings in 2021 and the years ahead.

2021 Municipal Summer Internships

Once again, the MMA Executive Committee has approved funding to help four of our members fund summer internships offered through the University of Maine's Margaret Chase Smith Policy Center. The MMA program has been a big success since we started it several years ago.

Initially launched to help state government agencies recruit and train young professionals, the number of municipalities securing Margaret Chase Smith summer interns has grown in recent years, with interns working from Presque Isle and Caribou to Saco and South Portland. MMA will offer four \$2,000 grant awards to members who agree to employ a Margaret Chase Smith intern this summer. Winners are selected via a random drawing.

This program spun off from MMA's Hometown Careers recruitment program, which we launched in 2018. The phenomenon of older municipal employees retiring at a rapid clip has not gone away.

Training Programs – with Urgency

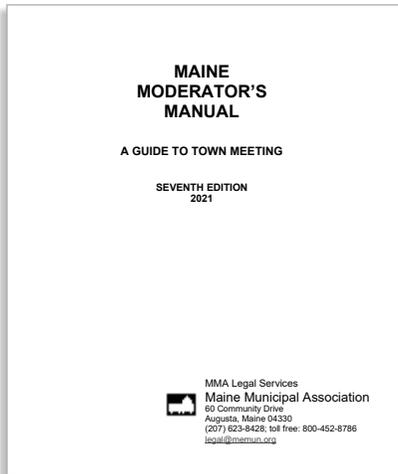
Perhaps as never before, issues are springing up constantly regarding the COVID-19 pandemic, technical computer software, diversity in our communities and work force, and running remote meetings.

MMA prides itself on anticipating and responding to these needs as they occur. Our 2021 Educational Offerings, which you can see on Page 25, includes offerings on HR in the Age of COVID, Trio (software) Toolbox, Running Effective Zoom meetings and a new look at Grant Writing: the Municipal Experience. We also offer 42 recorded webinars on similar topics at our website: www.memun.org.

2021 Municipal Technology & New Energy Conference

This event was postponed last spring, due to the coronavirus outbreak, but it is a definite "go" on April 15-16 this year, as a virtual event. Our keynote speaker will address rural broadband developments but, in a larger sense, we will include renewable energy topics for the first time, seeing how important they've become on the municipal landscape.

Along with updating our traditional, tech-oriented sessions such as cyber security, expert speakers will address solar power installation, electric vehicles, making municipal buildings as energy efficient as possible. MMA also will use Zoom platform tools to allow more interactivity with conference sponsors who, in many cases, employ the real experts who can help towns and cities navigate the 21st Century.



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+Keynote Address:

Nick Battista, Senior Policy Officer, Island Institute and ConnectME Authority Board Member

The State of Broadband in Maine

The issue remains a high priority: The quality of broadband Internet service remains pivotal throughout the state, as Maine competes in the global economic development marketplace. So, how's it going? How are Mainers being served in cities like Augusta, Bangor and Portland, but also in rural areas and on island communities? What new idea and projects are out there to serve as educational examples?

Two full days of sessions! Highlights include:

- + The Legal Aspects of Solar Power/ The Importance of Siting Solar Projects
- + How to Tighten Your Town's Financial Security and Protect Against Fraud
- + TRIO Software How-To

Online registration and the full program agenda will be published on our website soon!

COVID-19's monumental impact on local government workers

There is so much for employers and staff alike to consider, from whether vaccines can be required to keeping workplace morale and efficiency as high as possible.

By Eric Conrad, Director, Communication & Educational Services, MMA

In recent weeks, the Maine Municipal Association has held or been asked to participate in three webinars dealing with COVID-19 in the workplace. How to protect and deal with staff during these unprecedented times, yet continue to serve Maine citizens, is one of the biggest challenges that municipal leaders face today.

The MMA workshop, "HR in the Age of COVID-19," was held in cooperation with two attorneys at the law firm Bernstein Shur. Namely, Ann Freeman and Matt Tarasevich. We have worked with both attorneys a lot over the years and, as is usually the case, their presentation drew strong reviews.

The Mercer company, a global employee benefits and asset management firm, provided advice for employers on communicating with employees about the importance of COVID-19 vaccinations and how best to incentivize employees to be vaccinated.

And the Center for State & Local Government Excellence, joined by an expert from the International City/County Management Association, provided perspective on how the pandemic is affecting local government employees in terms of their morale, health and how they feel about working from home.

Center for Local & State Government Excellence

The center surveyed 1,205 local government employees in May and October of 2020 to assess the impact on COVID-19 on the workplace. It's worth noting that roughly 50% of those

surveyed were public school teachers. However, the remaining 50% were municipal employees across the U.S.

The upshot is that the coronavirus is taking a major toll on workplace satisfaction.

Last May, 20% of the local government employees surveyed said working during the pandemic has made them consider changing jobs. That figure jumped to 31% in October.

While 63% of the survey respondents last October felt proud they can serve their communities during a period of heightened need, 48%, also in October, said working under pandemic conditions had made them feel their compensation is not "on par with" the risks they are taking in the workplace. That latter figure, the one about risks vs compensation, had been much lower in May 2020 (32%).

Not all employees are experiencing the COVID workplace in the same way.

Orlando Cruz, an ICMA workplace expert who was part of the Center's webinar, described the current situation as "the tale of two employees."

First, Cruz said, are employees working from home – and there are far more people in this category than there were before the pandemic. These people, generally speaking, are coping with the COVID workplace better than employees who cannot work from home.

Municipal first responders, and public school teachers, generally fall under the latter heading. They are required to report to work and to work in-person with the public.

While many have been vaccinated now, first responders know they can get COVID from patients. They also work "in close quarters" with emergency services colleagues. It's still an open

question whether someone who is vaccinated for COVID-19 can be a carrier of the virus, according to Dr. Nirav Shah, of the Maine Center for Disease Control and Prevention.

Public school teachers feel similarly to first responders, Cruz said. And many teachers have not been vaccinated yet, though in Maine they are in the second priority group. Cruz said teachers also worry about contracting the virus, especially teachers who have children at home.

Cruz said that increased turnover among local government employees is occurring as a result of the added stress, mostly in terms of people opting to retire, more than being laid off due to economic challenges triggered by the pandemic. Again, this was a national survey.

Joshua Franzel, managing director with the Center for State and Local Government Excellence, said local leaders nationally seem to have learned some lessons from the recession years of 2008-09. Back then, Franzel said, large layoffs were commonplace.

However, once economic conditions improved, local governments found they had created a staffing hole that was difficult to fill. Recruiting people to work in local government is hard, he said, and with an aging work force, retirements keep happening no matter how the economy is doing.

"All the layoffs and early retirements created more problems than they solved," Franzel said, adding that layoffs and incentivized retirements do not appear to be happening to the same extent during the COVID-19 public health emergency.

One final note from the Center's most recent survey results, in October: The No. 1 concern that local govern-

Eric Conrad, the editor of *Maine Town & City* and Director of Communication and Educational Services at MMA, can be reached at conrad@memun.org.

ment employees have about COVID-19 – this may not surprise anyone – is keeping their families safe.

More than seven in 10 employees feel their jobs put them at some risk, or great risk, of contracting COVID-19. And 83% say that keeping their families safe is their top concern.

A close runner-up (80%) is staying protected from the virus while on the job. That speaks to the importance of providing employees with personal protective equipment – including masks – at work, enacting social distancing requirements and allowing staff to work remotely if possible.

Mercer

The Mercer presentation focused primarily on encouraging employees to be vaccinated for COVID-19 when that becomes feasible for them, if it has not already. Nationally, for employees of all kinds who have had the opportunity to be vaccinated, workers are declining by the rate of 30-50%.

That has all kinds of implications in terms of workplace safety and dealing with the public, and those consequences (of unvaccinated staff) may last for years.

While it may feel otherwise, the COVID-19 outbreak is by no means the first pandemic in world history. Pandemics do end, the Mercer experts explained, and in modern times they end when treatments and vaccines come along. “Vaccination is the surest path,” they said.

So, how do municipal leaders encourage and incentivize employee vaccinations?

Dr. David Zieg, clinical services leader at Mercer, said employers should realize that “it’s human nature to have concern about the unknown. This is a new vaccine.”

“Patience and persistence seem to be the key factors in employer success,” he said.

Mercer recommends these three steps for employers to follow when vac-

cinations for employees become widely available:

- Develop and implement a communication plan about vaccinations. Include information about their effectiveness, side effects, how long they might last, and other factors.
- Engage and convince leaders in your workplace. That includes management of course, but also staff members who may be influential among their peers.
- Listen to the employees. The feedback received from those who hesitate may be invaluable in terms of making the information you provide after that more effective.

The Mercer folks also discussed the importance of flexible working locations and hours for staff members, now that many are working far differently than they did prior to last year.

By and large, staff members like the flexibility: 56% said they like the ability to work remotely and more flexibly “very much;” 38% said they liked it “somewhat;” only six percent said they did not like it at all. (The Mercer survey numbers were not specific to local government employees.)

There are advantages to working in the office, Mercer reported. Colleagues collaborate better in person. Productivity is somewhat higher. And, simply, human beings are social creatures. Most of the time, we like interacting with other people at work.

Having said that, the Mercer presenters do not expect American work-

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places will ever fully return to their pre-pandemic ways. There are enormous cost savings with people working remotely and employees themselves are unlikely to give up their newfound flexible working conditions easily.

The presenters predict “a hybrid model” of staffing will become the norm, some combination of people working in an office setting, at home and with more flexible hours. Again, many jobs do not lend themselves to such conditions. With municipal government in Maine, police officers and other first responders, clerks at the front desk and public works crews are clear examples.

That’s why, to conclude, the Mercer experts said employers will have to make decisions about which employees can work remotely (and how often they can) on a case by case basis. They warned against a “one-size-fits-all rule” such as: All employees can come to work three days a week and work from home two days.

That may sound simple and fair, they said, but different jobs have different requirements.

MMA and Bernstein Shur

Attorneys Ann Freeman and Matt Tarasevich deliberately walked 150-plus municipal officials through various legal considerations for managing people during the pandemic. Their webinar was held on Jan. 26. It is available for viewing at the MMA website (www.memun.org) by clicking on Training & Resources, then Video Library. There is a fee to watch it, recognizing the staff and production cost of holding it.

For the purpose of this article, and knowing the webinar itself is available for members to see, let’s concentrate on the COVID-19 vaccination section of

their presentation.

A common question these days is whether employees can “make” employees get vaccinated. The attorneys said the answer is yes – if being vaccinated is “consistent with business necessity” – but there are several cautionary items to consider.

For example, exceptions must be made for employees with disabilities or with “sincerely held religious beliefs or practices.” Employers must decide if a different reasonable accommodation is possible, such as working remotely, as an example.

If no reasonable accommodation

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is available, employee leave may be an option. "Do not automatically assume that you can terminate employment," they cautioned.

As with so many things in running municipal government, a written policy that is widely available to both employer and employees alike is a "must have."

The attorneys recommended that a third party administer the vaccine, either by having a qualified provider come to the workplace to do it or by having employees get vaccinated by their primary care provider.

Two final notes: They recommended employees who decline to be vaccinated should be required to sign a written declination. And, employers can be incentivized to be vaccinated. The Bernstein Shur team said to use care in this area if the employees belong to a labor union. The Mercer medical experts, from the aforementioned webinar, said incentives should not be too large, or they can be viewed as "coercive," which is another legal consideration.

COVID vaccine in Maine

At the time of this writing (Feb. 1), the Maine CDC had just launched

a public website (www.maine.gov.covid19/vaccines).

As you may know, Maine chose to follow U.S. CDC recommendation that health-care workers, first responders, nursing home staff and patients go first in being vaccinated. Some states, such as Florida, took a different tack. The Sunshine State put elderly residents first, with mixed results.

Generally, in the U.S. and throughout the world, the vaccination rollout has gone more slowly than what was hoped. Maine is no exception. Generally, vaccine availability is the reason.

The next group to be vaccinated in Maine includes residents 70 years of age and older, adults with high-risk

medical conditions and critical front-line workers not included in the "1a" group, such as state and county correctional staff.

The second wave is a huge one. Maine, as one of the oldest states in the nation population-wise, has more than 100,000 residents 70 years of age and older. The Maine CDC vaccination site says the effort to vaccinate this large group of people started around Feb. 1 and is expected to run through April.

The website says for people 64 years of age and younger, who do not work critical, front-line jobs and are generally in good health, vaccinations are expected to begin in June. ■

The Maine Municipal Association (MMA) is a voluntary membership organization offering an array of professional services to municipalities and other local governmental entities in Maine.

MMA's services include advocacy, education and information, professional legal and personnel advisory services, and group insurance self-funded programs.

Visit the MMA website For more information: www.memun.org



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A municipal summary of Maine Climate Council's report

The comprehensive report expects a lot from towns and cities. While climate change is important to all, state and federal assistance to achieve these goals will be imperative.

By Rebecca Graham, Advocate, and Neal Goldberg, Analyst, State & Federal Relations, MMA

By request of Gov. Janet Mills, the Maine Climate Council compiled a climate action plan (CAP) to identify effects of climate change in the state, goals for Maine's climate future, and strategies to mitigate and adapt to climate change impacts.

The council's CAP contends that climate change inaction will be the most costly path forward. The plan recommends a path incorporating immediate and ongoing action from every level of government and all private stakeholders from citizens to businesses.

The plan offers eight linked strategies to achieve four interwoven goals. To develop these strategies and goals, the council had to consider: the status of climate change preparedness across the state; Maine's economic and social composition; workforce and population trends; existing heritage industries; and, opportunities for growth or innovation. For instance, the plan highlights sea level rise given its imminent impact on Maine's coast, and offers suggestions to protect and support state industries like fishing, aquaculture, and wood products manufacturing. The final result is a climate action plan that reflects Maine.

Municipalities and tribal governments have an integral role to play. Planning, fundraising, threat identification, implementation and monitoring must all occur at the local level. On the basis of the information that is provided, it is likely that municipal officials will be responsible for learning and enforcing expanded statewide building codes, updating ordinances and planning processes to access federal and state funding support for infrastructure projects, identifying vulnerable residents and businesses

in their communities, and helping to provide public education and outreach.

This overview of the Maine Climate Council's Climate Action Plan provides little detail on certain matters. This is due to both the limited scope of the CAP and Working Group reports, and the uncertain rules and legislation that will address the CAP's recommendations. Matters such as funding, local technical capacity and equity considerations require more development before an accurate understanding of the full municipal impact can be assessed.

Municipal impact

The plan proposed four goals essential to Maine's ongoing vitality. To meet these goals, eight strategies, each with significant municipal impact, are recommended by the climate council.

At the municipal level, Maine's Climate Action Plan will largely be aspirational unless new funding sources are revealed. For communities in need of tangible actions against extreme weather threats, the plan may even fall short. At risk of missing vital grant opportunities, these communities may first have to hastily adopt climate change language in their ordinances before becoming eligible for funding.

The lofty emissions reduction benchmarks, quick pivot to clean energy, and transformation of the transportation and heating sectors are difficult for any government to achieve. Yet amidst a global pandemic and \$650 million state-budget revenue shortfall forecast, the plan asks municipalities to mitigate climate change and build community resilience without providing sufficient financial, human, and technical resources.

The planning, training, imple-

ABOUT THIS ARTICLE

This article is an overview of the Maine Climate Council's most municipally relevant recommendations, prepared by MMA's State and Federal Relations Department. This report is based only on what is presented in the Council's report, *Maine Won't Wait: A Four-Year Plan for Climate Action*, and the information gleaned by the association's participation in council and working group meetings. This document will be updated at the MMA website (www.memun.org) as details emerge and staff is better able to evaluate the municipal impacts of the council's recommendations.

If you have questions about the information presented in this overview document or the Maine Climate Council process, please contact either Rebecca Graham at rgraham@memun.org, or Neal Goldberg at ngoldberg@memun.org. Both can be reached at 1-800-452-8786.

mentation and monitoring related with climate change require vast quantities of funding. Municipalities already struggle to provide needed services and have difficulty finding sufficient staff for planning and enforcement with their limited resources. The council subgroups identified the lack of planning resources statewide as an obstacle for many Maine communities and regions. The new duties and obligations created by the CAP may overwhelm local governments.

Lost tax revenue to woodlands designated for carbon sequestration, updated training for climate friendly

construction, creation of a clean energy grid and new building standards will place further strain on the limited community resources currently available. Additionally, future affordable housing problems may arise as low- or fixed-income residents are obliged to pay mounting costs for building updates.

resilience is too large for many Maine communities.

Some communities are better prepared to undertake the additional responsibilities created by the CAP. They may have a larger reserve fund, growing property tax base, climate-knowledgeable public servants or volunteers, residents who support these goals

Managed retreat from sea-level rise is more pressing in coastal and riverside towns, while inland communities are focused on woodland incentives and forest products. Municipalities deserve differentiated planning and guidance in order to effectively build climate change resilience.

Assuming municipalities have the financial strength and planning capacity to proceed with every recommendation from the climate council, there is much to be gained. A centralized location for all climate change data and assistance in developing “shovel-ready” projects would both improve the efficiency and effectiveness of municipal planning. A State Adaptation Fund to cover the local share of infrastructure projects would open otherwise inaccessible federal funding to municipalities

Maine’s Climate Action Plan relies heavily on municipalities to carry out the planning, implementation and monitoring of its recommendations. If the plan’s goals are to be realized, more support must be extended to these communities, with additional

assistance provided to the state’s most vulnerable communities.

Implementing the plan

Implementing the Climate Action Plan will require government leaders at all levels to coordinate and work cooperatively to achieve the climate goals established in state law and proposed by the council, which is described in the pages that follow. Funding will be required, as well as metrics that ensure accountability and convey progress.

Appropriation and revenue responsibility rests with the Governor and Maine State Legislature, with similar processes at the municipal, tribal, regional and federal levels. Government leaders must be joined by a broad coalition of nonprofits, academic institutions, private interests, and the general public to escape the possible unintended consequences of ambitious action and steer policy in a productive and equitable direction. A draft of the Maine Climate Action Plan Implementation Chart is available online.

MAINE'S CLIMATE ACTION PLAN GOALS

Reduce Maine's Greenhouse Gas Emissions	Avoid the Impacts and Costs of Inaction	Economic Impacts and Opportunities	Advance Equity through Maine's Climate Response
<p>Contribute to global effort of reaching net zero carbon emissions and prevent warming exceeding 2°C by 2050.</p> <p>Reduce greenhouse gas emissions 45% by 2030, and 80% by 2050.</p>	<p>Inaction will cost more than mitigation. Costs will accelerate without immediate climate action.</p> <p>Public health, flooding, and economic risks increase under delayed action.</p>	<p>Solutions to leverage Maine's strengths and mitigate workforce trends by supporting good jobs and economic growth, protecting heritage industries, and fostering innovation in new sectors.</p> <p>Cost savings for Maine consumers.</p>	<p>Protect marginalized communities most vulnerable to climate change effects.</p> <p>Establish an Equity Subcommittee of the Maine Climate Council.</p> <p>Build resilience and equity.</p>

New government duties and obligations without adequate revenue sources may increase municipal budget deficits. As municipalities adjust their budgets accordingly, uninformed residents may become adversarial. Thus, a statewide education and communication emphasis should keep residents informed of new government duties and enforcement responsibilities associated with state climate change initiatives.

Additional government activities also stretch the limited capacity of governing boards and their members. At the local level, many board seats remain void of volunteers, while other municipal boards and committees may not have the technical prowess to enact climate change initiatives. The municipal capacity for legislation, planning, fundraising and monitoring required under this action plan are immense. The council does not make clear how the state will support municipal boards in carrying out new obligations.

There must be an understanding that the local lift for climate change

and outcomes, or are naturally more resilient to climate change impacts. The gap between prepared communities and vulnerable ones without the financial, human or technical capacity to build climate change resilience will grow until climate change inequity is addressed.

Climate change is inherently unjust, as highlighted by the CAP. Advancing equity means making all communities, especially those most vulnerable, resilient to climate change impacts.

Existing geographic and sociodemographic variances across the state mean a successful climate action plan should differentiate recommendations, funding and support accordingly. Rural communities have a higher per capita cost to mitigate climate change impacts. Communities with higher population density have unique transportation and public health concerns. Service center communities already have experience with large-scale education and training programs, but face affordable housing challenges.

Funding, financing options

Climate change adaptation and preparation strategies such as resilient infrastructure, incentive programs, and modern electrical grids require significant and sustained investments. To implement the Climate Action Plan, well-financed programs and properly capitalized lending entities are needed. No single funding option will suffice. A variety of funding sources must be leveraged to achieve Maine's climate goals. The climate council recommends some of the following approaches:

Near-Term Funding Options

- Use general fund bonds for essential, focused capital investment: Record-low borrowing rates could be leveraged to initiate infrastructure projects that will generate economic activity, create good jobs, and serve as a signal of bold action to address climate change. Specific bonding priorities should be identified including the State Infrastructure Adaptation Fund, energy innovation research, weatherization projects, advancement

towards clean transportation, protection for natural and working lands and development of a clean energy workforce.

- Pursue current and new federal grant opportunities: Strategies and actions from the CAP can be achieved through existing and new federal funds for climate-focused projects and programs. Maine should provide matching dollars to offset the local share required for municipal projects when significant federal investments are available.
- Maximize one-time funding streams and settlement dollars, like those received from the Volkswagen emissions settlement.
- Support investments by Maine businesses into clean energy and energy efficiency improvements by enacting a Commercial Property Assessed Clean Energy (C-Pace) Program.
- Adjust existing state resources and grant programs, like Tax-Increment Financing (TIF), to allow municipalities to use funds to align with climate mitigation and adaptation goals.

- Amid the strain from revenue reductions associated with the recession and pandemic, Maine's general fund budget must recover and remain stable for long-term action.

Long-term Funding Options

- Identify long-term funding sources for essential transportation infrastructure to support the shift away from gas tax revenue, which is already insufficient to meet Maine's existing infrastructure needs. Additional long-term sources will be needed to support clean transportation, the State Infrastructure Adaptation Fund, disaster funds, and natural and working lands conservation and easements.
- Maine's millions of annual visitors who use public services and transportation infrastructure are a potential source of funding if leveraged appropriately. These visitors use and depend on the same projected infrastructure but do not contribute proportional levels of support as permanent residents.



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In the event that your department or agency is confronted with an issue or allegation requiring discretion and analysis, Attorney Louison will serve as special counsel and conduct an investigation tailored to the particular scope required, providing finding of facts and conclusions and, if requested, recommended remedies.

For further information, contact Attorney Louison directly at the above email address.

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- Revenue bonding for long-term capital support for state climate infrastructure projects like mitigation of sea level rise.
- Maine should invest in promising innovation sectors with targeted research and development, commercialization, and business attraction support. Potential sectors identified by the Maine Climate Council include high-value forest products like cross-laminated timber, wood-fiber insulation or biofuels.

Financing and Other Policy Options for Consideration

- Establish a Maine Green Bank or Green Fund for private-sector capital to finance clean energy projects and climate initiatives.
- Transform Maine’s power sector by potentially including a public finance mechanism for additional grids or generation capacity, creating consumer ownership of all or part of Maine’s power delivery systems, or examining the viability of a “Maine Power Authority” as

the primary energy planning and financing entity in the state.

- Investigate implementation of a Northeast cap, trade and invest system to reduce emissions and generate revenue for climate change solutions.

Recommendations on Measuring Progress

The council recommends establishing and monitoring clear and transparent metrics to ensure accountability and convey progress toward recognized goals. These metrics should reveal whether policies are having the intended outcomes and should direct evidence-based adjustments, enhancements or replacements to policies as the plan is updated.

Actions Taken: These indicators describe discrete actions that can be counted. They can measure incremental progress toward climate mitigation and adaptation goals.

Examples – kilowatts of energy saved via an efficiency measure, acreage of conserved lands, total number of electric vehicles (EVs) on Maine roads, or the number

of towns with resilient community plans.

Emissions and Adaption Impacts Achieved: These indicate collective efforts and progress that often cannot be calculated or isolated. Some of these indicators are only available on the planetary scale.

Examples – changes in ocean acidification, progress toward gross emissions reduction goals, reduction in heat-related emergency room visits.

Measuring Equity: The Maine Climate Council Equity Subcommittee will recommend target goals and program metrics for key populations and groups by September 2021.

Action plan goals

Maine’s Climate Action Plan forms the Climate Council recommendations to achieve four interconnected goals, seeking to: (1) reduce greenhouse gas (GHG) emissions; (2) avoid the costs associated with inaction; (3) capitalize economic opportunities; and (4) advance equity by protecting the state’s most vulnerable people.

In Maine, most greenhouse gas emissions come from either transportation (54%) or residential heat-

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ing, ventilation and air conditioning (19%). Since the largest GHG emissions problem lies in Maine’s transportation sector, the CAP calls for a continuation of the state’s existing gas emissions goal of incremental progress to 80% reduction in GHG emissions by 2050.

Maine is an established national leader in mitigating gas emissions, having already reduced GHG emissions by 34% from 2002 to 2017. Economic growth was not sacrificed during this period of reduced energy-related gas emissions. As emissions fell over 30%, Maine’s GDP grew 4.8%. Pathways to reduced GHG emissions are expected to create economic benefits through innovation in the transportation, energy and industrial sectors.

One council suggested pathway to the emissions goal calls for reducing transportation emissions by 78%, or from 17.5 million metric tons of CO₂ emissions in 2017 down to 3.72 million metric tons in 2050.

Avoid impact, costs of inaction

The CAP evaluated the price of doing nothing and determined this cost on taxpayers – at all levels – to be exponentially greater than the cost of prevention, adaptation or mitigation.

For instance, public health risks associated with vector-borne diseases are likely to rise in frequency due to warmer summer weather and migrating insects not historically found in Maine. Flooding risks could lead to \$19.3 billion worth of building damage in coastal and inland communities between 2020 and 2050, and subsequently reduce property tax values. Fisheries and aquaculture business are at risk of losing output worth \$1.3 billion in revenue. The council study projected that every \$1 invested in pre-disaster risk reduction results in \$6 of avoided disaster damages.

Economic impact, opportunities

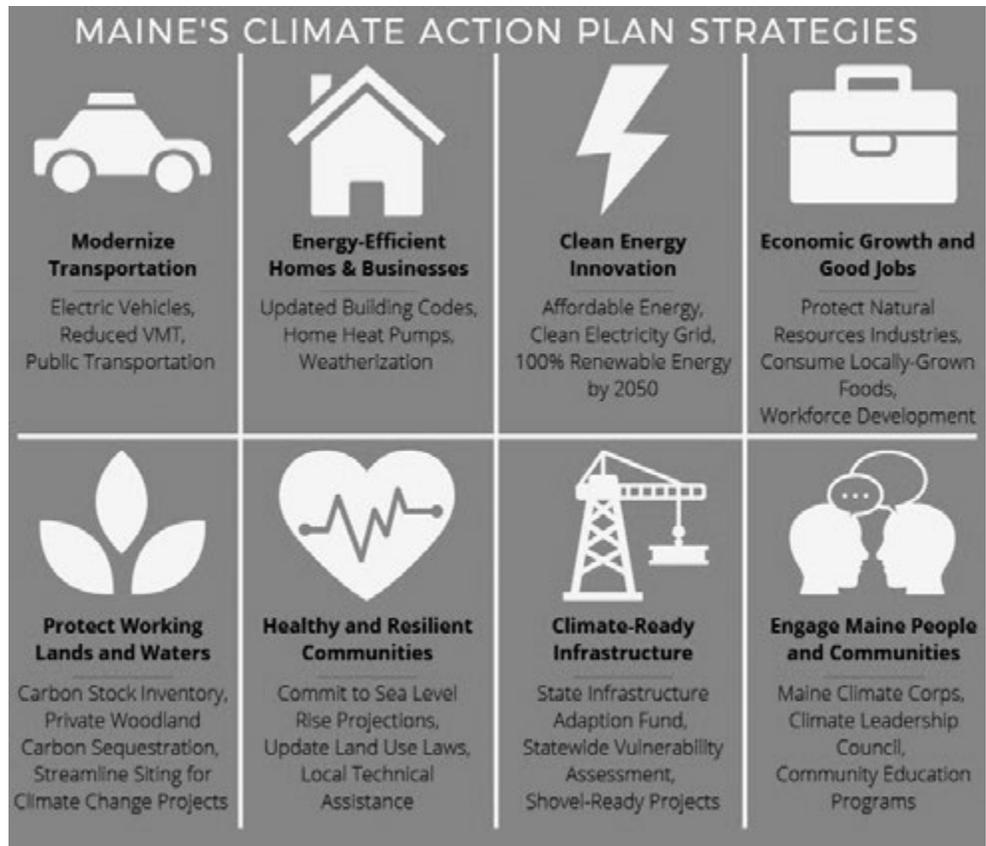
The Maine Climate Council believes economic opportunity exists within the boundaries of climate change policies. The CAP aims to capture economic growth by directing solutions that enhance Maine’s heri-

tage industries and foster innovation in new sectors.

The plan directs state and local governments to pursue federal funds for site-approved “shovel-ready” projects. Such projects will initiate cre-

comes.

The CAP calls for creation of an Equity Subcommittee to ensure climate change resiliency not only considers vulnerable population, but advances equity to communities most



ation of a clean energy infrastructure designed to sustain future climate change impacts. Projects targeting Maine’s working waterfronts, roads, bridges, wastewater and water systems, renewable energy generation and broadband accessibility can make realizing climate change goals an economic opportunity. The CAP predicts these projects will create jobs in growth sectors, reduce energy consumption, and pass along cost savings to Maine consumers.

Advance equity

While economic opportunities exist within climate change initiatives, great care must be taken to protect those most vulnerable to its effects. Significant flooding events, extreme temperatures, and reliable drinking water access disproportionately impact historically marginalized communities and Mainers with limited or fixed in-

at risk. As the plan describes, a more resilient Maine can also be a more equitable Maine, but climate action is not inherently just.

Action plan strategies

The Maine Climate Council recommends eight linked strategies to achieve the four interwoven goals of reducing greenhouse gas emissions, avoiding the accelerating costs of inaction, capturing economic opportunities and minimizing impacts, while advancing equity through climate response. The strategies focus on Maine’s unique climate change characteristics and intersect to mitigate climate change impacts from multiple approaches. Prevalent throughout the strategies are financial implications and additional responsibilities for Maine’s municipalities.

Key to reducing overall greenhouse gas emissions is embracing change in

the transportation sector. Almost half of Maine's greenhouse emissions come from passenger cars and trucks.

This strategy calls for large-scale electrification of the transportation sector, reduction in the number of miles Mainers drive, expanded options and funding for public transportation, continued development of walkable communities and downtowns and increased fuel efficiencies for vehicles. The future of transportation must also ensure affordability and access to emerging transportation options for low-to-moderate income vehicle owners, including incentives to transition to more fuel efficient vehicles or to alternative fuels.

Additionally, economic opportunities exist to support Maine's forest products economy by increasing production of wood biomass as an alternative fuel. Embracing the future of transportation includes ensuring that reliable broadband access is available in all areas of the state, thereby encouraging residents to work from home and reducing vehicle miles traveled.

Modernizing buildings is central to reducing greenhouse emissions emitted from heating, cooling and lighting. Installation of heat pumps and heat pump water heaters, weatherization projects and enhanced appliance standards are recommended to create cost-effective, energy efficient homes and businesses. Efficient construction also incorporates building materials with lower carbon levels and uses Maine forest products like mass timber or wood fiber insulation.

The council recommends strengthening and adopting climate-friendly building standards implemented through an expanded Maine Uniform Building and Energy Codes (MUBEC). Subsequently, additional training and education for code enforcement officers, contractors, and municipal planning boards and staff will be required. The Council's report also recommends that the state reduce operating emissions through a transition to renewable or efficient energy sources. Adaptation of the state's Renewable Fuels Standards portfolio and replacing hydrofluorocarbons (HFCs) with cleaner alternatives are also advised.

Advancing towards entirely renewable energy sources in Maine entails a transformation of the industrial and

energy sectors. The CAP recommends increasing the percentage of electricity entities are required to provide from renewable sources to 80% by 2030, with a goal of 100% renewable electricity by 2050.

The intent is to make Maine's energy grid cleaner, as well as more reliable and affordable. Renewable energy can be generated at lower or comparable

expense as non-renewable sources, and it is expected those costs will continue to decrease.

Innovation in the energy sector is needed in order to meet the upgraded standards clean energy standards, as described by the council. Energy innovation is an opportunity to drive economic growth through the deployment of technologies such as offshore

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wind power generation, micro grids, energy storage, and highly efficient combined heat and power production.

The transformation should be managed equitably to ensure affordability and reliability for all Maine ratepayers. Incentive programs for cost-saving electrification technologies should target low-to-moderate income earners. The council's report directs the Industrial Task Force to take the lead on stakeholder processes, with input from the Maine Public Utilities Commission, Governor's Energy Office, and industrial facilities and operators in the state.

As Maine's energy portfolio transitions to renewable sources, the climate action plan sees opportunities to grow the clean energy economy, create good jobs and protect valuable natural resource industries. The council advises keeping a portion of the \$4.4 billion spent on out-of-state fossil fuels to be used for Maine's clean energy growth and adaptation. Maine's long-standing natural resource industries will need to adapt to climate change impacts and take advantage of new opportunities.

The council's report: (1) indicates bioproduct innovation could grow Maine's forest product industry; (2) recommends increasing the percentage of food consumed in Maine from state farmers and harvesters; and (3) urges a Maine Business Seafood Council be launched to provide a diverse and stable market for Maine fisherman and aquaculture businesses.

To meet labor demands in these industries, a workforce initiative should be created to support current and future employment needs. It is estimated that there are already 14,000 clean energy jobs in Maine, paying approximately 25% more than the national median hourly wage. The workforce initiative should provide science, engineering, and mathematics pathways, and secondary career

and technical education (CTE) and training opportunities. The initiative should also identify workforce gaps and attract new businesses. Investment in broadband will help all employment efforts in Maine.

The council recommends protecting Maine's valuable natural resources. Every year Maine loses approximately 10,000 acres of natural and working lands to development. This is a direct source of carbon emissions and a reduction of the statewide carbon storage capacity. To protect Maine's environment and working lands and waters, the plan calls for increasing total acreage of conserved lands to 30%, through voluntary, focused purchases of land and working forest or farm conservation easements, aimed especially in high biodiversity areas.

All of the upcoming workshops can be found on the MMA website. Use the following link:

<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>

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Additionally, the plan indicates new incentives should be created to increase carbon storage capacity, including streamlined siting of renewable energy projects, updated current use property tax programs like the Open Space Program and Tree Growth Tax Law, and support for agricultural practices that focus on soil health.

Coupled with these incentives is increased access to information and technical assistance from state agencies to individual communities. Finally, private- and public-sector entities will participate in a “coordinating hub” for all research and monitoring activities.

Since many of the climate change resiliency initiatives will happen at the

local level, the climate action plan calls on the state to assist municipalities with understanding, planning, developing and implementing policies that reduce climate change impacts. This includes offering case studies, best practices, lessons learned and peer-to-peer learning opportunities.

The plan recognizes that empowering local and regional community resiliency efforts will necessitate municipal access to robust technical and funding assistance. Currently, only 11% of communities in Maine have a town planner on staff, while 72% have no local planner and insufficient or no regional planning support. Improved planning and technical capacity can

spur community resilience through smarter land use planning and policies.

Strengthened public health monitoring and education are also vital to resilient communities. Finally, the council recommends the state commit to managing 1.5 feet to 3 feet of relative sea level rise by 2050, and 3.9 feet to 8.8 feet by 2100.

Central to improving Maine’s climate readiness is infrastructure resiliency. Much of Maine’s existing infrastructure was built before climate change was understood as a threat. Thus, new and adapted infrastructure must be climate change resilient. Doing so requires Maine perform a statewide infrastructure vulnerability assessment and implementation design standards for resilience in infrastructure projects. The CAP highlights that statewide assessment should give additional attention to areas where socially vulnerable communities and at-risk infrastructure overlap. Once design standards are implemented, communities must acquire funding.

Whether for new construction, or upgrades to the state’s backlog of infrastructure adaptation projects, federal funds are available with requisite cost-share or matching funds from state or local governments. The council suggests the creation of a State Infrastructure Adaptation Fund and a pre-development assistance program to help municipalities leverage federal support.

Communities must raise awareness and understanding for climate change impacts, and garner public and private support for climate change actions. A multifaceted, ongoing communications campaign based on the CAP will help people better understand the challenges and opportunities that lay ahead. Increased access to public education related to climate change and clean energy is also recommended.

The CAP suggests climate-related workforce development should be offered through the Maine Climate Corps. The Governor’s Climate Leadership Council will encourage voluntary participation from the private sector and will publically recognize outstanding climate leadership by Maine businesses and organizations. ■

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Ten tips for creating your unique municipal brand

By Nancy Marshall, The PR Maven® and CEO of Marshall Communications in Augusta

If you are involved in your local town or city government, now is the time to start a conversation about your municipal brand. What do I mean by that? Perhaps the most recognizable campaign was developed in the 1970s: I Love New York! This campaign was so well implemented and well funded that it helped attract visitors, residents and businesses.

The whole concept of “live, work, and play” is currently carried out statewide by Live and Work in Maine to attract new residents, businesses and visitors to our great state. On the local level, my agency worked with the City of Saco recently to help with its “Friendly by Nature” campaign to portray the city’s friendliness and natural setting.

Branding your town or city is more vital than ever now that people want to escape more crowded regions and enjoy the quality of life that Maine is known for... people are coming to Maine to enjoy Vacationland all year round. Many people can work remotely from their homes for any company in the world if they have a strong internet connection.

So, here are my 10 tips for elevating your municipal brand:

1. Assemble a group of residents of different ages, backgrounds, professions and lengths of time in your city or town (newcomers, long-time residents, people who work there but live elsewhere). Develop a set of questions to ask this group to provoke conversation about the municipality’s strengths, weaknesses, opportunities and threats.

2. Find something unique that differentiates your municipality and put your stake in the ground around it. Wiscasset has claimed “the prettiest village in Maine,” and Farmington is the earmuff capital of the world! Figuring out one unique thing is difficult, but you need to find something that everyone can rally around.

3. Develop a list of “avatars” or “personas” that describe the kind of person or family that would want to relocate to your municipality. Describe them by the kinds of brands they are already loyal to by their likes and dislikes, their hobbies and their age/income bracket/current home and life goals.

4. Figure out who you are competing with. In other words, if people or businesses are considering moving to your municipality, where else are they considering and why? What would draw them to your city/town versus the competitors?

5. Decide on a logo and tagline that symbolize your unique stake in the ground. The City of Saco logo and tagline are very prominent on the home page of its website (www.saco-maine.org). The City of Sanford also has a tagline we helped them with: *Explore, Create, Grow* along with a logo that is an “S” for Sanford and representing the river that runs through the city.

6. Set a budget for creating new signage, banners, a website where you can roll out your new brand and include stories of current residents and businesses who are living their best lives there. Stories are critical. That’s how you create brand ambassadors who will help tell your story to others to attract them to move.

7. Organize special events to celebrate the new brand identity. We may not be able to celebrate in person right now, but virtual events can be a creative way of bringing people together to talk about your municipality, what people love about it, what can be improved and why people would want to move there. Be sure to include the local media in your celebration. Tell the local media about it in advance, invite them to the celebration, then make sure there are stories about it as follow up.

8. Create a protocol for sharing stories via social media on an ongoing basis. Branding is not a one-hit wonder! It’s an ongoing process of storytelling, sharing and communicating.

9. Include the kids! Our young people represent the future. Maine is an aging state, so we need to celebrate our young people and make sure they know there are opportunities for them in the future. The quality of local schools will be a major attractor or detractor so make sure your schools are part of the branding process. Help the schools tell their success stories as part of the brand.

10. Your website is vital. It is the anchor of your brand. Make sure it is updated and reflects a modern place where people would want to relocate. Google will decide whether to send people to your website based on whether it is updated, well cared for and modern.

Branding is about how people feel in their hearts and minds when they think of a place. You want people to think, “Oh yeah, I want to live there,” or “I want to go there,” or “I want to work there.” Bring people together to determine what it is that makes your hometown special, then share it with the world. ■

Nancy Marshall, The PR Maven® is CEO and founder of Marshall Communications specializing in tourism, health care, economic development and personal branding services, NMarshall@marshallpr.com.

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Two coastal towns share short-term rental experience

Bar Harbor and Cape Elizabeth share a spectacular coastline, 150 miles apart. Both are attempting to regulate Airbnb and VRBO-type vacation rentals – carefully.

By **Stephanie Bouchard**

When towns and cities first began grappling with how to or whether to regulate an increasing number of short-term rentals, the issue driving the argument for regulating them was largely one of business competition: Airbnbs and VBROs took a bite out of the overnight stay business of bed and breakfasts and hotels.

Today, the issues driving community discussion around short-term rentals are more frequently around worries that short-term rentals harm residential neighborhoods and contribute to housing affordability and availability problems.

That concern – about neighborhoods and housing affordability – is what’s driving proposed changes to short-term rentals ordinances in Cape Elizabeth and Bar Harbor.

Bar Harbor: Vacation-rental central

Bar Harbor has been a vacation destination since the 1800s. Today, because of Acadia National Park, it continues to be a leading tourism destination in the state. It is not surprising then that it has many short-term rentals. Because of that, the town put a short-term rental ordinance on the books in 2006 as it became clear that the Airbnb phenomenon was having an effect in town.

In 2006, the town had 185 short-term vacation rentals registered and in 2019, there were 438. Today, per the town’s registry, of Bar Harbor’s 2,795 dwelling units, 518 are used as short-term vacation rentals. According to AirDNA, a Colorado-based data ana-

lytics company that tracks short-term vacation rentals on VBRO and Airbnb, there are 660 short-term vacation listings in town.

“If you put that in proportion,” said Michele Gagnon, Bar Harbor’s planning director, “that is extremely high.”

Bar Harbor, like many communities in Maine, has for many years been dealing with an affordable housing crunch.

“Housing (cost) continues to increase at a much faster rate than the wages,” said Gagnon. Add to that limited housing availability, as people are buying starter homes not to live in as their primary residence, but as investment properties. About 302 of Bar Harbor’s short-term rentals are owned by non-Bar Harbor residents, Gagnon noted.

These investment property buyers offer a good deal more than the asking price for starter homes that need some work. The buyers fix them up, then use the properties as short-term vacation rentals, she said, charging top dollar for in-season renting. Even if these properties are available during the winter months at lower rental rates, come spring, the winter renters have to leave to make way for summer season short-term vacation renting.

“The town council (has) an interest in increasing the year-round livability and quality of life of the people of the Town of Bar Harbor,” said Gagnon. To that end, the town is proposing a number of updates to its short-term rentals ordinance.

Among those updates are two controversial proposals: That short-term rental registrations are not transferable; and, placing a cap on the number of short-term rental properties that are not the primary residence of the property owner.

The current number of short-term rental properties that are not primary residences exceeds the proposed cap, which is 9% of the total dwelling units in Bar Harbor. The idea is that the town will, over what could be many years, meet the 9% cap through a combination of short-term rental property owners leaving the business and an increase in year-round housing units.

After two meetings on the proposals in January 2021, Gagnon said the council acknowledged the issue is “complicated,” but is determined to work through things, with the aim of putting an updated ordinance on the ballot in November of this year.

“I think it’s fair to say that we are hopeful it’s going to help us stop the conversion of dwelling units into vacation rentals,” said Gagnon. “We are hopeful that it’s going to slow down on the cost of renting and the cost of buying, which has been higher than it probably should be. So yes, we’re hoping it’s going to make a difference. Again, we are fully aware that this is not the sole problem to addressing housing. But it is part of it.”

Cape Elizabeth: Neighborhood-centric

In 2012, the coastal Town of Cape Elizabeth put its first short-term rental ordinance on the books. At the time, the short-term rental market was a “somewhat casual, supplemental use of somebody’s home or property for a little bit of extra income,” said Jamie Garvin, the Town Council’s Finance Committee chair in 2020, and chair of the town council for 2021.

In the intervening eight years, the nature of Cape Elizabeth’s short-term rental market shifted.

“The pendulum had really begun

Stephanie Bouchard is a freelance writer from Bath and regular contributor to *Maine Town & City*, stephanie@stephaniebouchard.net.

to swing from just individual homeowners that were kind of operating a little bit of a side hustle to people that were buying up properties expressly for the purpose of running a full-time Airbnb or similar,” Garvin said.

Anecdotally, he said, the properties being bought up have been traditional starter homes that would be attractive to young families starting out or older people downsizing in residential, fairly established neighborhoods.

“The more you take those off of the market, the harder it is for those folks that are starting out or those folks that are hoping to age in place... to find something like that,” he said. A component of the town’s comprehensive plan, approved in 2019, is, he said, “making sure that we’ve got a wide variety of diverse housing stock to hopefully attract and retain a diverse population and community.”

With residents complaining about absentee landlords and the increasing awareness of properties being pur-

chased for the purpose of investment, town councilors felt it was time to update the short-term rentals ordinance to reflect the new realities of the market and try to rein it in.

The current proposal, which is still being tweaked, raises the bar by requiring a paid permit (\$500 up from \$50) for all short-term rentals, putting in minimum and maximum numbers of renting days, and requiring most short-term rentals to be operated by the property owner at that owner’s primary residence.

With these proposed amendments, said Garvin, “we think that that will really shift the nature of the marketplace in our community to one that is getting back toward what we described as those 2012 times of people that were sort of doing this as a supplemental, sort of accessory, use of their property for a little bit of incremental additional income versus people that are operating full-time businesses without much community benefit to them.”

Walking a fine line

While both Bar Harbor and Cape Elizabeth are seeking to tighten restrictions on short-term rentals, not all towns and cities in Maine feel a need to go to the lengths these two coastal communities are – or even to regulate them at all, said Kristin Collins, an attorney in Preti Flaherty’s municipal

law group in Augusta. Collins previously worked as a staff attorney for the Maine Municipal Association, and she has led MMA training sessions on this topic in recent years.

“It really is a community to community decision, and that’s why you see such a range of approaches,” she said.

Creating short-term rental ordinances often stirs up a lot of emotions and, depending on what is proposed, controversy. Thus, the ordinances can take a lot of time. When Collins talks to municipalities about whether they should create an ordinance for short-term rentals, she advises them to consider what they’re getting into before making any moves.

Here’s her advice:

- **Understand what you have in your town.** “That’s one way to start so that you’re not over-regulating or regulating something that’s not actually a problem,” Collins said. How many units do you have? Who owns them? How are they being marketed and rented? Are there documented complaints? “Sometimes towns embark on this without really having a full understanding of what the picture is, and they make assumptions without realizing it,” she said.
- **Don’t stop people from doing what they’re already doing.** Make

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sure you aren't overreaching to the extent that you are infringing on property rights, she said. "Anytime you pass an ordinance, whether it's a zoning ordinance or something like a short-term rental cap, you are impeding someone's constitutional property rights, and so the regulation has to have a rational basis," she said. "You need to have the facts to support the regulation."

- **Bring in all of the stakeholders,** and bring them into the conversation early. Don't assume that you have a full understanding of the picture just because you're hearing from one group of people. The folks who own bed and breakfasts in town will have a different perspective on short-term rentals than do, for example, property owners who rent out a room in their house or an apartment over the garage for a little supplemental income.

Getting input from all the stakeholders was a priority for both Bar Harbor and Cape Elizabeth. Both communities held a number of public ses-

sions to get feedback from residents and as many stakeholders in the short-term rental market as possible in the hopes of coming up with ordinances that take everyone's perspectives into consideration.

Cape Elizabeth made the process as transparent as possible, and through the documentation of that process, ensured that everyone could see how their input went into the development

and refinement of the proposed ordinance, said Penny Jordan, chair of Cape Elizabeth's Ordinance Committee. This strategy, she said, helped to come up with compromises.

"My hope is (the final short-term rentals amendments) we will make as many people happy as possible," she said. "But, not everybody will be happy." ■

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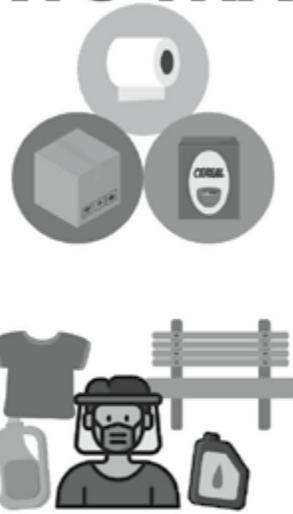
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How to Lead Effective Meetings/Zooming in to Facilitate Effective Zoom Meetings

These workshops are designed to help everyone, from municipal staff leaders to elected officials, prepare for, run and conclude effective meetings. They do not provide legal advice and are not meant to help attendees learn about the legal requirements of running public meetings. They will advise attendees on the best ways to deal with complicated subjects, troublesome interrupters – and more. The Feb. 11 webinar will specifically address the challenges and unique features of virtual meetings.

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MANAGING FREEDOM OF ACCESS REQUESTS

THURSDAY, JUNE 10
Zoom Webinar

TUESDAY, DECEMBER 14
Augusta – Maine Municipal Association

ZOOMING IN TO FACILITATE EFFECTIVE ZOOM MEETINGS

THURSDAY, FEBRUARY 11
Zoom Webinar

HOW TO LEAD EFFECTIVE MEETINGS

THURSDAY, SEPTEMBER 9
Zoom Webinar

THE ABCS OF ASSESSING – FOR NON ASSESSORS

THURSDAY, NOVEMBER 4
Zoom Webinar

DEVELOPING SOLUTIONS ON HOTLY CONTESTED ISSUES

TUESDAY, NOVEMBER 16
Portland – Clarion Hotel



AT-A-GLANCE CALENDAR



MMA EDUCATIONAL OFFERINGS 2021

DATE:	DAY:	COURSE NAME:	LOCATION	SPONSORED BY:
FEBRUARY				
2/2	Tues.	Legislative Event	Virtual Event	MeWEA/MWUA
2/2-4	Tue.-Thurs.	MeWEA/MWUA Joint Conference	Virtual Event	MeWEA/MWUA
2/3	Wed.	TRIO Toolbox (NEW!)	ZOOM Webinar	MMA
2/11	Thurs.	Zooming in to Facilitate Effective Zoom Meetings (NEW!)	ZOOM Webinar	MMA
2/24	Wed.	Planning Board/Boards of Appeal	ZOOM Webinar	MMA
2/25	Thurs.	MEGFOA Winter Virtual Training Workshop	ZOOM Webinar	MEGFOA
MARCH				
3/2	Tues.	Elected Officials Workshop	ZOOM Webinar	MMA
3/10	Wed.	MFCA Annual Meeting	ZOOM Meeting	MFCA
3/10	Wed.	Cultural Competency 101	ZOOM Webinar	MMA
3/16	Tues.	Introduction to De-Escalating Techniques	ZOOM Webinar	MMA
3/18	Thurs.	MBOIA March Membership Meeting & Training	ZOOM Webinar	MBOIA
3/26	Fri.	MTCMA 41st Annual Statewide Manager Virtual Interchange	ZOOM Webinar	MTCMA
APRIL				
4/2	Fri.	MACA Annual Business Meeting	ZOOM Meeting	MACA
4/6	Tues.	MMTCTA Tax Liens Workshop	ZOOM Webinar	MMTCTA
4/8-9	Thurs.-Fri.	MeWEA Spring Conference	ZOOM Webinar/Conference	MeWEA
4/8	Thurs.	Personnel Practices	ZOOM Webinar	MMA
4/15-16	Thurs.-Fri.	Municipal Technology & New Energy Conference	ZOOM Webinar/Conference	MMA
4/22	Thurs.	Planning Board/Boards of Appeal	ZOOM Webinar	MMA
4/27	Tues.	Understanding Implicit Bias	ZOOM Webinar	MMA
4/27	Tues.	MWDA Spring Training Seminar	ZOOM Webinar/Seminar Event	MWDA
April/May	TBD	MBOIA 11th Annual Maine Code Conference	ZOOM Webinar/Conference	MBOIA
MAY				
5/5	Wed.	Elected Officials Workshop	ZOOM Webinar	MMA
5/6	Thurs.	MAAO Board of Assessment Review	ZOOM Webinar	MAAO
5/11	Tues.	Regulating Vacation Rentals	ZOOM Webinar	MMA
5/13-14	Thurs.-Fri.	MMTCTA Annual Conference	ZOOM Webinar/Conference	MMTCTA
JUNE				
June	TBD	MCAPWA Highway Congress	Skowhegan - Skowhegan Fairgrounds - TBD	MCAPWA
6/3	Thurs.	New Managers Workshop	ZOOM Webinar	MMA
6/10	Thurs.	MMTCTA Cash Management	ZOOM Webinar	MMTCTA
6/10	Thurs.	Managing Freedom of Access Requests	ZOOM Webinar	MMA
6/17	Thurs.	Municipal Human Resources & Management Conference	ZOOM Webinar/Conference	MMA
6/24	Thurs.	Elected Officials Workshop	ZOOM Webinar	MMA
JULY				
7/8	Thurs.	MFCA Membership Meeting & Networking	TBD	MFCA
7/13	Tues.	HR in the Age of COVID (NEW!)	ZOOM Webinar	MMA
7/13	Tues.	MMTCTA I've Got The Job - Now What? Workshop	Augusta - Maine Municipal Association	MMTCTA
7/15	Thurs.	MBOIA July Membership Meeting & Training	Augusta - Maine Municipal Association	MBOIA

Online registration is easy!

<http://www.memun.org/TrainingResources/WorkshopsTraining.aspx>

PLEASE NOTE: In light of the ongoing public health pandemic, events scheduled in-person should be considered tentative until more information becomes available. Facilities and locations may also be subject to change. Please be sure to check the MMA website for regular updates.

AT-A-GLANCE CALENDAR



MMA EDUCATIONAL OFFERINGS 2021

DATE:	DAY:	COURSE NAME:	LOCATION	SPONSORED BY:
JULY				
7/20	Tues.	Planning Board/Boards of Appeal	ZOOM Webinar	MMA
7/22	Thurs.	MMTCTA Basic Excise Workshop	Augusta -Maine Municipal Association	MMTCTA
TBD	TBD	MMTCTA Tax Liens Workshop	Orono - Black Bear Inn	MMTCTA
AUGUST				
8/11-13	Wed.-Fri.	MTCMA 75th New England Management Institute	Carrabassett Valley - Sugarloaf Mountain	MTCMA
8/18	Wed.	Elected Officials Workshop	Saco - Ramada Inn & Conference Center	MMA
8/19-20	Thurs.-Fri.	MMTCTA Governmental Accounting	Waterville - Elk's Lodge	MMTCTA
8/25	Wed.	MFCA Joint Meeting	Newry - Sunday River	MFCA
8/26-27	Thurs.-Fri.	MFCA Professional Development Conference	Newry - Sunday River	MFCA
8/26	Thurs.	Women in Leadership Symposium (NEW!)	Augusta - Maine Municipal Association	MMA
SEPTEMBER				
Sept.	TBD	MCAPWA Golf Tournament	Cumberland - Val Halla	MCAPWA
9/2	Thurs.	MMTCTA Payroll Law	Waterville - Elk's Lodge	MMTCTA
9/9	Thurs.	How to Lead Effective Meetings	TBA	MMA
9/10-12	Fri.-Sun.	MSFFF Annual Convention/Meeting	Waldoboro	MSFFF
9/13	Mon.	Planning Board/Boards of Appeal	Portland - Fireside Inn & Suites	MMA
9/15	Wed.	MEWEA Golf Tournament	Newry - Sunday River	MeWEA
9/16-17	Thurs.-Fri.	MeWEA Fall Convention	Newry - Sunday River	MeWEA
9/22-24	Wed.-Fri.	MAAO Fall Conference	Sebasco - Sebasco Harbor Resort	MAAO
9/23	Thurs.	MBOIA September Membership Meeting & Training	Portland - Fireside Inn	MBOIA
9/30-10/1	Thurs.-Fri.	85th Annual MMA Convention	Augusta - Augusta Civic Center	MMA
Sept.	TBD	MWDA GA Basics	TBD	MWDA
Sept.	TBD	MWDA Advanced GA	TBD	MWDA
OCTOBER				
Oct.	TBD	MCAPWA Supervisory Leadership in Public Works Program - Part I	Augusta - City Center Plaza - TBD/ or ZOOM Webinar	MCAPWA
Oct.	TBD	MCAPWA Supervisory Leadership in Public Works Program - Part II	Augusta - City Center Plaza - TBD	MCAPWA
10/9	Sat.	MSFFF Firefighters Memorial Service	Augusta	MSFFF
10/14	Thurs.	Labor & Employment Law	Augusta - Maine Municipal Association	MMA
10/20	Wed.	Identities & Privileges	ZOOM Webinar	MMA
10/21	Thurs.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Orono - Black Bear Inn	MMTCTA
10/26	Tues.	MBOIA & Fire Marshal's Office Training	Portland - Fireside Inn	MBOIA
10/27	Wed.	Legal Update on Recreational Marijuana	ZOOM Webinar	MMA
10/27	Wed.	MBOIA & Fire Marshal's Office Training	Brewer - Jeff's Catering	MBOIA
10/28	Thurs.	MBOIA & Fire Marshal's Office Training	Waterville - Elks Lodge	MBOIA
10/29	Fri.	MBOIA & Fire Marshal's Office Training	Augusta -Maine Municipal Association	MBOIA
NOVEMBER				
11/4	Thurs.	The ABCs of Assessing – for Non Assessors (NEW!)	ZOOM Webinar	MMA
11/9	Tues.	MMTCTA Municipal Law for Tax Collectors & Treasurers	Augusta -Maine Municipal Association	MMTCTA
11/9	Tues.	Grant Writing: The Municipal Experience (NEW!)	Belfast - Hutchinson Center	MMA
11/16	Tues.	Developing Solutions on Hotly Contested Issues (NEW!)	Portland - Clarion Hotel	MMA
11/30	Tues.	Elected Officials Workshop	Orono - Black Bear Inn	MMA
DECEMBER				
12/3	Thurs.	MWDA Winter Issues Training	Augusta - Maine Municipal Association	MWDA
12/8	Wed.	Planning Board/Boards of Appeal	Augusta - Maine Municipal Association	MMA
12/9	Thurs.	MBOIA Annual Membership Meeting & Training	Lewiston - Green Ladle	MBOIA
12/10	Fri.	MTCMA/MMANH Joint Workshop - Leadership Exchange	South Portland - DoubleTree Hotel by Hilton	MTCMA
12/14	Tues.	Managing Freedom of Access Requests	Augusta - Maine Municipal Association	MMA

Christmas in Kittery: Spirit, innovation, burned bright

From stuffing a lobster boat with donated toys to holding a holiday parade throughout the famous town, locals rallied together during COVID times.

By Steve Solloway

Kendra Amaral honked the horn on the Kittery Community Center's van. She honked it again that day in December. And again. Sitting in the passenger seat was Jeremy Paul, the community center's director.

"Jeremy was worried I was honking too much," said Amaral. "Like that is possible."

If the van's horn needed replacing, how would she explain that expense to her the Kittery Town Council? That it was part of her duties as town manager?

Amaral laughs lightly as she tells the story of helping escort Santa Claus through neighborhood streets. A Kittery Police cruiser and a town fire truck were part of the procession. The worldwide pandemic closed the traditional Christmas parade for public health reasons but Amaral, Paul and the townspeople of Kittery decided they wouldn't simply watch as COVID-19 tried to steal their Christmas and their 2020 holiday spirit.

They donned their facemasks, abided by Maine's pandemic restrictions, and got involved. A detailed map of Santa's path through Kittery was displayed on the town Facebook page. Residents posted timely sightings on their street, signaling Santa's progress.

Their reward? Perhaps a new sense of community, a gift that may not be set aside anytime soon.

"I'm so proud of this town," said Amaral. "We have restrictions, but we are going to persevere and support each other."

Kittery could be Every Town USA,



challenged by the effects of COVID-19. It claims it is the oldest town in Maine, incorporated in 1647. The Portsmouth Naval Shipyard is the nation's oldest federal shipyard and is, in fact, located in Kittery. Day trippers know Kittery for its iconic Kittery Trading Post and the retail outlet centers along U.S. 1.

Getting an early start

Last spring, as the realization sunk in that COVID-19 would disrupt lives in ways that no one could imagine at the time, the town sent out a survey.

"We tried to get a sense of what was needed," said Amaral. What social service providers needed or could offer. What volunteers were available to help social service agencies.

About 60 to 70 people stepped forward. When she looked at the names on the list, Amaral recognized only

about a dozen. That those who had not been particularly active before in town affairs, but were coming forward in a time of need, was gratifying.

The holiday season is typically when a town's social services are called on to aid depression, loneliness, hunger or simply to talk.

When Thanksgiving arrived and the new surge in COVID-19 infections started, Kittery had a better sense of where it stood and how it would try to keep the holiday spirit alive.

At the community center, kits to build gingerbread houses typically arrive at the start of the holiday season. Usually, the gingerbread houses are made on site. This year, Paul said, the community center ordered about 125 kits to be assembled at home. A pick-up site was set up. The kits quickly disappeared.

Steve Solloway is a freelance writer from Hallowell and regular contributor to *Maine Town & City*, ssolloway@roadrunner.com.

The community center organized a “letters to Santa” effort. Some 75 letters were received and answered.

For the first time, Kittery had its first Holiday Light Challenge, publicized on the community center’s Facebook page. Four homeowners entered, representing the four corners of Kittery. “It got people to visit parts of our town they’ve never seen before,” said Amaral.

Amaral is in her fifth year as Kittery’s Town Manager and did not grow up in Maine. “I’m from that state we shall not name,” she said, with a light laugh. She is from Massachusetts, where she last worked as Assistant Town Manager of Wilmington. She was also Deputy Director of Planning and Development in the City of Lowell.

Her work in municipal government is a bit of a career switch. She was project manager for Boston Children’s Museum’s physical expansion with an eye for details, such as including more automatic doors at the entrance to the museum. Public places like museums must be accessible to those with disabilities, but Amaral was also conscious of those pushing a baby’s stroller while trying to open a heavy, manual door.

She seems to take notice of things that improve people’s lives, in small and bigger ways. She credits the commander of the Portsmouth Naval Shipyard for its support of blocking off a minor spur to access to the shipyard’s Gate 1.

Like many towns, Kittery has put jersey barriers in place to make sidewalks available for dining seating, another change brought about by COVID-19. Local artists were invited to paint the barriers to “add a sense of place and joy,” said Amaral.

tor of the Kittery Community Center shortly after he ended a 15-year career coaching the town’s R.W. Traip Academy boys’ varsity basketball team. He had been assistant director of Kittery’s town recreation program. He understands teamwork.

The community center, built in a renovated and repurposed former two-story school opened in 2012 and quickly became another hub of activity in this town of about 10,000. “We’ve got activities for people from 2 years old to 100,” said Paul.

“This is a town that likes to solve problems, likes to keep active. That’s the best part of living in Kittery.”

Then there’s that streak of Yankee independence and self-reliance that produces its own initiative as exemplified by one Steve Lawrence. He’s a lobsterman who went to Traip Academy some years ago. He knows a few folks who were struggling going into the holidays. Lawrence decided to help.

But why stop with helping just a few when there were others in the same boat, so to speak?

The Kittery Police Department runs a Stuff-A-Cruiser effort to help the needy in town. Lawrence didn’t have a police cruiser. But he did have a lobster boat, the Ruth Illene III. The idea for the town’s inaugural Stuff-A-Boat campaign was hatched.

Lawrence put out the word for new toys for all ages, gift cards and non-per-

Former coach knows teamwork

Paul took the position of direc-



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ishable Christmas dinner food items. He would anchor the Ruth Illene III at the Traip Academy boat launch after coordinating the time for high tide and access through Portsmouth Naval Shipyard waters. He recruited a Santa's elf or two to help with donations and social distancing and face mask protocols.

One of Kittery's more colorful characters, Lawrence dressed as Santa Claus. He already had the beard.

Under a cold rain, Lawrence's hopes for helping others were realized. The Kittery Police helped with the distribution. On his Facebook page, Lawrence repeatedly thanked everyone involved.

"Thanks very much to ALL the people who braved the crappy weather. You are all responsible for a lot of local people in need having a fantastic Christmas. It's incredible how much loot is now available to make young and old very happy."

A first, after 104 years

On the same wind-driven and cold rainy day, the First Congregational Church of Kittery Point held its 104th

Christmas fundraiser. Or, as it was known this year, its first Online Christmas Market.

The pandemic forced cancellation of many traditional church fairs and more elaborate craft fairs. At the First Congregational, the decision was made to model its event after outdoor Christmas markets in Europe. With the forecast for bad weather, the fair was suddenly and quickly moved to the Internet.

"It was exciting," said Jennifer Gray, the church coordinator, who also designs websites. She had two days to move the entire inventory of items to be sold to the church website, set up online payment and arrange safe pick-up options.

"I had a couple of 14-hour days, but as soon as I finished, my phone started lighting up. We sold more than 200 orders. We even sold the chowder, chili and homemade candies we make to eat at the fair. We packaged them to go."

Gray laughs. Purchases at previous fairs were by cash or check. "We were very old school. This was the first time credit cards were used."

But then, the 304-year-old church

held its last worship service in March. Worship, meetings, church events, are now online through Zoom. Gray has been teaching men and women almost twice her age in the congregation how to use computer platforms like Zoom.

Kittery Point is Gray's hometown. The resilience of her friends and neighbors has not surprised her. She's seen the full parking lots at the Kittery Trading Post and some of the outlets. She saw the Christmas decorations that went up early and came down late.

"Did this town keep the Christmas spirit? Absolutely. If anything, it burned a bit brighter." ■

ABOUT THIS SERIES

Throughout 2021, Maine Town & City will recognize municipal officials as they respond to the challenges posed during the unprecedented, global COVID-19 pandemic. If you have suggestions for this series, please email me at: econrad@memun.org.

Eric Conrad, Editor

42

Valuable Training Videos ▶▶

THE MAINE MUNICIPAL ASSOCIATION

is steadily building its general-interest video training library. We now offer 42 videos, from topics that range from tips for newly elected officials to moderating town meetings.



To watch any of these videos, go to <https://memun.org/Training-Resources>

Some of the videos require Member Area passwords. If you need a password to access the Member Area of MMA's website, please call the Resource Center at: 1-800-452-8786

*Some videos require payment to be accessed.



PEOPLE



Camdan Carmichael

Camdan Carmichael, a 19-year-old who has served the Rangeley Fire Department since age 14, beginning as a junior firefighter, is the town's first full-time firefighter. Carmichael, a graduate

of the Rangeley regional school, was among several candidates for the job. Carmichael, who is finishing his college courses online, will help the department cover a 600-square-mile area over two counties, according to Fire Chief **Michael Bacon**. The coverage area includes both Sunday River and Saddleback ski resorts. The department also responds to vehicle accidents as well as snowmobile, ATV, hiking and snowmobile accidents and rescues. Bacon expects Carmichael to work out of the town's main station, as well as the Oquossoc village. He will be required to get a fire truck and other vehicles on the road within two minutes in an emergency, as well as inspecting and maintaining trucks. Carmichael grew up in a firefighting family, so his attraction to the work started early. His great-grandfather, grandfather, uncles and cousins have served the department. At 17, Carmichael enrolled in the Rangeley school's technical education center to take the firefighting program. He is certified as both a Firefighter I and II. The station receives about 500 calls a year, Bacon said, but the town's destination both as a growing tourism region and people looking to move to town to live year-round will only increase the workload.



Stephen Daly

Waterville city councilors voted unanimously in early January to hire **Stephen Daly** to replace longtime Manager **Michael Roy**, whose retirement was announced in April and took effect hours after Daly was approved by the council. Daly has 30 years of experience as chief administrative officer for a municipal management contractor. Roy had agreed last year to stay on the job after 16 years

to ensure a smooth transition. Many wanted his contract to be extended, not ended. Among his heftiest projects were redeveloping the shuttered Hathaway Co. mill and revitalizing the downtown. Meanwhile, Daly has served as town manager in Bedford, N.H., as well as Salem, N.H. He served as town administrator in Bedford and North Reading, Mass. His other experience includes working for a regional and statewide Homeland Security agency, a multi-state collaborative based in Massachusetts, where he lives. Daly was one of 70 initial applicants. He and wife plan to move to Waterville as soon as possible.



June Eaton

Brooklin town officials and residents have lost their longtime former town clerk, librarian and historian **June Eaton**, who died on Christmas Eve at the age of 93. Eaton worked as town clerk for 36 years, retiring in 1993, and then took the job as assistant librarian until 2012. She was known for being independent, walking back and forth to work despite invitations for a ride, and will be remembered for her dedication to and respect for residents. On Aug. 23, 2015, the town held June Eaton Recognition Day.

Hallowell City Manager **Nate Rudy** was named the new manager of Gray, where he is expected to begin his new job on March 1. Rudy, who lives in Readfield, has managed Hallowell since 2016. Rudy worked as director of planning and development for the City of Waterville and also



Deborah Cabana

served as executive director for Waterville Creates!, a nonprofit organization for the promotion of arts and culture in Waterville. He will replace **Deborah Cabana**, who retired after serving the town as manager for 15 years.

Elena Piekut was named Ellsworth city planner after working as assistant planner from 2012 to 2015, under former

planner **Michele Gagnon**. Piekut will return to Maine from Dover, N.H., a city of 32,000 where she served as assistant city planner and zoning administrator. She earned a bachelor's degree in human ecology from the College of the Atlantic. The job has been vacant since last October, when then-planner **Theresa Oleksiw** resigned suddenly after four months on the job.



Steve Page

Leeds firefighter **Steve Page** died on Dec. 27 after serving the town's volunteer force for 51 years. During his tenure, he served two years as chief and another 32 as an assistant chief. Fire Chief **Glenn Holt** described Page as his "right-hand man." Page was 66. Page did not just fight fires for the town, but also was a member of numerous organizations, drove a school bus and spent as much time as possible as an outdoorsman. He was remembered for his ability to raise money for various projects, and for participating in training with surrounding towns that provided mutual aid. He was known as a kind, happy man and devoted husband and father.



Wade Rainey

Five years ago, West Paris residents and municipal staff honored **Wade Rainey** for his service after 30 years of municipal service – mostly as a selectman. Longtime town meeting moderator Vern Maxwell said the town should keep his phone number in case he was needed in the future. A year later, he got a call asking him to step in and replace retiring manager **John White** as interim manager. Now after five years, Rainey announced last month he will retire, for the second time. The "interim" was dropped from his title soon after he took the job. A veteran of the U.S. Navy, Rainey also served as code enforcement officer and tax assessor for 18 months. ■

STATEWIDE

Maine's 32 state parks set a record last year, despite the COVID-19 pandemic that kept them closed all spring. For the first time, the parks attracted 3 million visitors. Day-use visitors totaled 2.8 million, a 3% increase from 2019 and 2.7 million in 2018. Campers totaled 280,362, according to a mid-January report by the state's Agriculture, Conservation and Forestry Department. Overnight stays increased 8% over 2019. In all, there are 48 Maine parks and historic sites.

STATEWIDE

Much like the gold rush of 1848, developers and engineers are dashing to Maine to find areas where they can install solar panels as part of a statewide effort to cut pollution and save municipalities and customers money. Maine hopes to convert 80% of its energy to renewable sources by 2030 – the incentive developers needed to start aggressively planning projects. Currently, solar projects can be seen from southern York County to the tip of Aroostook County. According to the Maine Public Utilities Commission, there were 55 solar farms installed by 2019, thanks to legislation that encouraged solar and lifted certain rules. Experts predict 300,000 to 400,000 solar panels will be scattered in every Maine county over the next several years. One of the biggest projects is a 30,000-panel solar farm on Route 26 in Oxford, while Cianbro Corp. says its 40,300-panel solar farm off Route 2 in Pittsfield is the state's largest.

FORT FAIRFIELD

The Maine Department of Transportation (MDOT) sustained a \$1.6 million facility and equipment loss in an early January overnight fire. When local crews responded, the building was collapsing. After ensuring there were no employees present, three departments – Easton and Presque Isle provided mutual aid – partnered to douse the fire. Firefighters cordoned off the area and a part of a nearby street was closed so crews could access a fire hydrant. MDOT officials were present to be sure there was no fuel leaking from the destroyed equipment.

HOULTON

Law enforcement agencies across Aroostook County will share a grant of \$82,500, to be based on the size of the department and number of officers, both full- and part-time. The money from the federal Depart-

NEW ON THE WEB www.memun.org

Here are highlights of what has been added to the Maine Municipal Association website (www.memun.org) since the last edition of *Maine Town & City*.

COVID-19 vaccine updates: The Maine Center for Disease Control launched a website tracking vaccine administration numbers by county and demographic groups.

The Maine Department of Environmental Protection's Nonpoint Source Training Center released eight hour-long online training modules qualifying for credits for individuals certified in erosion control practices (aka "certified contractors").

MMA will continue to support municipal summer internships with four, randomly drawn grants to member towns and cities who commit to hiring interns through the Margaret Chase Smith Policy Center.

ment of Justice must be used on expenses related to the ongoing COVID-19 pandemic. Some examples are better technology to allow more local officials to use Zoom for meetings, and masks and gloves – known as "PPE," or Personal Protective Equipment, for police, ambulance attendants and EMTs. The money was awarded to the sheriff's office, which will distribute the funds rather than the feds dealing with eight municipal departments. Caribou and Presque Isle will receive the most at \$11,000 and \$10,200, respectively. Other departments that will share the balance include Houlton, Fort Kent, Ashland, Fort Fairfield, Washburn and Limestone. The sheriff said the county will not charge the towns and cities an administrative fee.

JAY

The select board last month approved continuing a firefighter on-call pilot program through June after hearing from the chief that the program has been successful. Started in November, the program maintains one or two firefighters at the station five days a week. The firefighters receive a \$40 daily stipend and regular hourly wages if they respond to a call. Although the firefighters responded to a high number of calls since November, the chief told board members he thinks the \$20,800 budget will fund the program for the remainder of the fiscal year until June. He added, however, that if call volume remains high, the budget may be tight.

GUILFORD

Inc. magazine named Puritan Medical Products as its Company of the Year for 2020. At the start of the COVID-19 pandemic last March, the federal government could not provide enough PPE for doctors, nurses

and other front-line health care providers; there was no vaccine to slow the infections. At press time, 430,000 Americans had died of the respiratory virus at a rate of 3,000 to 4,000 victims a day. The Guilford company, a subsidiary of Hardwood Products Company LP, stepped up and told federal officials it could increase production of the nasopharyngeal swabs so crucial for COVID-19 tests. Puritan is one of only two firms across the globe that produces the nasopharyngeal swabs; the second is located in Italy. The two companies were producing two million swabs a month combined in March, a fraction of what would be needed around the world – 500 million monthly. The federal government awarded Puritan \$75.5 million to increase production and add 400 employees to its payroll for an additional plant in Pittsfield. A third plant, also planned in Pittsfield, will create another 400 jobs. It is expected to open in the first quarter of this year. Former President Donald Trump visited the Guilford plant in June to thank employees and tour the facility, while Gov. Janet Mills congratulated the firm for the national honor by Inc.

KENNEBUNK

A group of municipal city and town clerks in Greater Kennebunk were honored on Dec. 31 by a York County newspaper, which named the clerks "Movers and Shakers" for 2020 for pulling off two elections during a fierce and unprecedented worldwide pandemic. Those honored by the York County Coast Star were: Emily Nedeau in Arundel, Merton Brown in Kennebunk, Tracey O'Roak in Kennebunkport, Christine Murphy in Ogunquit, Sue Cote in Sanford and Brenda Layman in Wells. ■

MUNICIPAL BULLETIN BOARD

PLEASE NOTE

Due to constraints caused by the coronavirus public health emergency, all of the training programs listed below will be held online via Zoom. Please view our website (www.municipal.org) for updates and details. Thank you.

ZOOM WEBINAR

FEB. 24

Planning Board/Boards of Appeal

Attorneys from MMA's Legal Services Department will lead a Zoom webinar session for local Planning Board and Land Use Boards of Appeal members from 4 p.m. to 7:30 p.m. on Feb. 24.

The workshop is designed as an introduction for new or less experienced members, but veteran board members may find an update useful as well. Among the topics to be covered: jurisdictional issues; public notice requirements; site visits; procedure for decisions; and, variances. The cost is \$45 for MMA members and \$90 for non-members.

ZOOM WEBINAR

FEB. 25

MEGFOA Winter Virtual Training

The Maine Government Finance Officers Association will offer a comprehensive day of training on Thursday, Feb. 25, touching on topics such as: ethics, cyber security, the state of Maine's economy, working from home and employee wellness.

The online workshop will begin at 8:45 a.m. and end at 1:30 p.m. Many presenters will be featured, including Maine State Economist Amanda Rector, attorneys, bankers and accountants. Cost for the event is \$25.

ZOOM WEBINAR

MARCH 2

Elected Officials Workshop

Attorneys and staff from MMA's Legal Services and Communication & Educational Services departments will lead a Zoom webinar for Elected Officials on March 2. The evening workshop begins at 4 p.m. and ends at 7:30 p.m. Officials who attend will receive a certificate showing they have met the state's Freedom of Access training requirement.

The webinar is designed for newly elected officials, but veteran councilors and select board members will benefit from the refresher and legal updates as well. Topics include: open meeting and records; roles and responsibilities; effective communication; media relations; and, conflicts of interest, among others. Cost for the workshop is \$45 for MMA members and \$90 for non-members.

ZOOM WEBINAR

MARCH 10

Cultural Competency & Diversity 101

This 90-minute webinar will provide participants with a better understanding of what cultural competency means, how our understanding of culture impacts the way we interact and communicate with others, and how to take actionable steps towards becoming more culturally competent. Key concepts will include cultural humility, benefits of a culturally competent workforce and intercultural communications.

The presenter is Lindsay Gannon, MPA, of Hart Consulting in Gardiner. The March 10 workshop begins at 10 a.m. and will end at 11:30 a.m. Cost is \$35 for MMA members and \$70 for non-members.

ZOOM WEBINAR

MARCH 16

Introduction to De-Escalating Techniques

Municipal employees in many positions sometimes find themselves dealing with less than receptive citizens, including those who are not following required protocols with regard to COVID-19. This basic Zoom webinar will offer concepts, guidelines and tips for handling situations where tensions might occur as you seek to gain compliance.

The March 16 workshop, to be led by Kathleen Carnes, a recently retired Human Resources Manager with the State of Maine, will begin at 10 a.m. and end at 11:30 a.m. Cost to participate is \$35 for MMA members and \$70 for non-members.

ZOOM EVENT

MARCH 26

MTCMA's 41st ANNUAL (VIRTUAL) INTERCHANGE

The Maine Town, City and County Management Association's annual "winter" event takes on a virtual look this year, but the agenda remains as appealing as always. Topics to be explored include: developing positive media relations; implementing internal financial and procedural controls; and, navigating the complex world of employee benefits.

The half-day event begins with a welcome at 8:30 a.m. and will conclude at 12:30 p.m. Cost is \$40 for MTCMA members and \$80 for non-members.

DETAILS TO COME!

SAVE THE DATE!

Municipal Technology & New Energy Conference

THURSDAY, APRIL 15 & FRIDAY, APRIL 16

Municipal Human Resources & Management Conference

THURSDAY, JUNE 17

LEGAL NOTES

'REMOTE' TOWN MEETING, OR ALL-ABSENTEE VOTING?

Question: During the current pandemic can we conduct an open town meeting remotely, using Zoom or similar technology? If not, can we hold a secret ballot election and require all-absentee voting?

Answer: Unfortunately, perhaps, the answer to both questions is no. The emergency provision in Maine's Freedom of Access Act authorizing remote board meetings during the COVID-19 pandemic expressly states that it does not apply to open town meetings and regional school unit budget meetings (see 1 M.R.S. § 403-A(2)). Only voters who are physically present during an open town meeting may vote; absentee voting by any method is not permitted (see "No Absentee Voting at 'Open' Town Meetings," *Maine Townsman*, Legal Notes, May 2010).

As for secret ballot elections, although voting by absentee ballot must be permitted (see 30-A M.R.S. § 2529), it cannot effectively be required because the polls must also be open for in-person voting for a minimum of four consecutive hours on election day (see 30-A M.R.S. § 2528(3)). Absentee voting can, however, be promoted voluntarily, by suitable encouragements posted on municipal websites, at municipal offices and facilities, and in local publications. We do not believe, though, that absentee ballots can be sent unsolicited to voters, because the law requires an application or request from the voter (see 21-A M.R.S. § 753-A).

For MMA's updated guidance on conducting town meetings and elections legally and safely, go here: https://memun.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=13953&language=en-US&PortalId=0&TabId=204 (By R.P.F.)

MAXIMUM INTEREST RATE FOR 2021 DELINQUENT TAXES: 6%

The maximum interest rate that municipalities may charge for delinquent property taxes committed during calendar year 2021 is 6%.

The State Treasurer established the maximum rate for 2021 at 4% pursuant to 36 M.R.S. § 505(4) but declined to add 3% as authorized by the statute. However, because the maximum rate for 2021 is two or more points lower than the maximum rate for 2020, which was 8%, the law

MUNICIPAL CALENDAR

FEBRUARY 15 — Presidents' Day, the third Monday in February, is a legal holiday (4 M.R.S. § 1051).

ON OR BEFORE FEBRUARY 15 — Monthly/quarterly/semi-annual expenditure statement and claim for General Assistance reimbursement to be filed via online portal or sent to Department of Health and Human Services, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311; DHHS regulations).

ON OR BEFORE MARCH 15 — Monthly/quarterly/semi-annual expenditure statement and claim for General Assistance reimbursement to be filed via online portal or sent to Department of Health and Human Services, General Assistance Unit, #11 SHS, Augusta, ME 04333-0011 (22 M.R.S. § 4311; DHHS regulations).

authorizes municipalities to set a rate of up to 2% higher than the maximum rate set by the State Treasurer (see 36 M.R.S. § 505(4-A)). Thus, the effective maximum interest rate for 2021 is 6%.

Neither the law nor the State Treasurer establishes a *minimum* interest rate for delinquent property taxes. Municipalities may set a lower rate than the maximum if they wish, including lower than 4% for 2021.

We should note that if a municipality fails to set an interest rate for delinquent taxes, no interest will accrue on late payments, which makes little sense. With no interest penalty, there is no incentive for taxpayers to make timely payment, and a serious cash flow problem could result.

Remember, the statute itself does not charge interest on delinquent property taxes – it merely establishes the formula by which the State Treasurer's Office annually determines the maximum rate that municipalities may charge. The municipal legislative body (town meeting or town or city council) must annually vote to specify a rate of interest in order for there to be any interest charge at all on delinquent taxes. Plus, that vote must occur *before* taxes are committed to the collector (see 36 M.R.S. § 505). Neither the interest rate nor tax due dates can be altered after taxes have been committed for the year.

Nor can accrued interest simply be "waived." Because interest is added to and becomes part of the tax itself (see 36 M.R.S. § 505(4)), the only means of waiving any portion of the tax, including accrued interest, is through the statutory tax abatement process, which is restricted to error or mistake, hardship or poverty, or inability to pay after two years (see 36

M.R.S. § 841).

Finally, some officials have asked us if, during the current pandemic, interest on 2020 or future taxes has been barred, deferred or forgiven by executive order or special legislation. As of this writing, there has been no such action by either the Governor or the Legislature. If there is (though we don't anticipate it), we will immediately post it on our website at www.memun.org. (By R.P.F.)

2021 EMERGENCY SPENDING AUTHORITY BASED ON 2020?

Question: Like last year, if our 2021 annual municipal budget meeting is delayed due to the continuing pandemic, can we rely on last year's budget for emergency spending authority until a 2021 budget is approved?

Answer: No. The authority to continue spending based on the prior year's budget was a special one-time provision in the COVID-19 emergency measures enacted by the Legislature on March 18, 2020 (see PL 2019, c. 617, pt. D, § D-1). This authority was automatically repealed on January 15, 2021 (see § D-4).

This emergency spending provision also included the authority to commit 2020 property taxes based on the municipality's approved 2019 budget, but this authority was also repealed on January 15, 2021.

Absent emergency spending powers granted by a municipality's budgetary authority (the voters in most towns), the municipal officers generally have no inherent authority to overdraft an account or spend from surplus or pay for unbudgeted expenses (see "Financial Emergencies & Unanticipated Expenses," *Maine*

LEGAL NOTES

Town & City, Legal Notes, May 2020). There are two statutory exceptions (road maintenance and repairs and general assistance), but that is all.

As of this writing, neither the Governor nor the Legislature has reinstated the emergency spending and tax commitment provisions in last year's legislation. If this changes, we will post notice of it immediately on our website at www.memun.org. (By R.P.F.)

LEGAL HOLIDAYS & COMMEMORATIONS

(Reprinted from the January 2001 *Maine Townsman* Legal Notes)

Question: Under State law, on which holidays must our municipal offices be closed?

Answer: Actually, none. The only legal holidays mandated by State law are court holidays (see 4 M.R.S. § 1051), school holidays (see 20-A M.R.S. § 4802), and bank holidays (see 9-B M.R.S. § 145).

On court holidays and on Sundays, State courts must be closed (unless the Chief Justice orders otherwise in a particular case), and public offices in county buildings may be closed, but the statute is silent with respect to municipal and State (other than court) offices, so these offices are not subject to mandatory closure on court holidays unless so ordered by those in charge.

Whether municipal employees are entitled to the day off and to be paid for it are also local decisions.

The court holidays are: New Year's Day (January 1st), Martin Luther King, Jr. Day (3rd Monday in January), Washington's Birthday, aka Presidents' Day (3rd Monday in February), Patriot's Day (3rd Monday in April), Memorial Day (last Monday in May or May 30th if so designated), Independence Day (July 4th), Labor Day (1st Mon-

day in September), Indigenous Peoples Day, formerly Columbus Day (2nd Monday in October), Veterans Day (November 11th), Thanksgiving Day (as designated), and Christmas Day (December 25th).

Note that when any of these holidays falls on a Sunday, the following Monday must be observed as a holiday.

Note, too, that under the rule for computation of statutory time periods (see 1 M.R.S. § 71(12)), if the last day of the period falls on a Saturday, a Sunday, or a legal holiday, the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. Also, if the statutory time period is less than seven days, intermediate Saturdays, Sundays, and legal holidays are not counted.

The Maine Legislature also has proclaimed a wide variety of commemorative days, weeks, and months, such as Poetry Day (October 15th), Garden Week (1st full week in June), and American History Month (February). None of these is observed as a legal holiday. For a complete list (and a little amusement), see 1 M.R.S. §§ 111-A through 150-P. (By R.P.F.)

MODERATOR AS SPEAKER/VOTER

Question: May a town meeting moderator also speak and vote on warrant articles at the meeting?

Answer: Yes, of course, as long as the moderator is a registered voter in the town holding the meeting. There is no Maine law restricting debate or voting by a moderator provided they are properly registered to vote in that town. (State law does, however, require that a moderator, like any other municipal official, be a U.S. citizen, at least 18 years of age, and a resident of Maine, see 30-A M.R.S. § 2526(3).)

That said, moderators often deliberately refrain from speaking as a voter and from voting – to remain above partisan-

ship and preserve their neutrality so they can more effectively preside over the meeting. To us, this posture makes a lot of sense, especially if the meeting will be acting on contentious matters.

Still, if a moderator feels compelled to speak to the merits of a motion, they should turn their gavel over to a deputy moderator who has not spoken on the matter and does not wish to. To avoid role confusion, they should then go to the floor, seek recognition from the deputy, and have their say. Only after the motion has been voted on should they then re-take the gavel.

If a moderator is not a registered voter in the town, they are subject to the same rule that applies to other non-voters, namely, they may speak only with the consent of 2/3 of the voters present (see 30-A M.R.S. § 2524(3)(A)). It should be self-evident, though, that this requirement does not apply to a moderator speaking as the presiding officer on procedural matters.

For some advice on how to choose the right town meeting moderator, see "Choosing a Moderator," *Maine Townsman*, Legal Notes, February 2008.

For some tips for moderators, see "Some Suggestions for Town Meeting Moderators" in Appendix 8 to MMA's *Town Meeting & Elections Manual*.

For recommended rules of procedure for conducting town meetings, see MMA's *Maine Moderators Manual*.

Finally, for a quick review of laws governing the conduct of town meetings, see "Town Meeting Reminders," *Maine Townsman*, Legal Notes, February 2007.

All of these materials are available free to MMA members at www.memun.org. (By R.P.F.) ■

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Maine Municipal Bond Bank

2021 SPRING BOND ISSUE SCHEDULE

Capital financing through the Bond Bank's General Bond Resolution Program allows borrowers to take advantage of the Bond Bank's high investment grade rating, low interest rates and reduced issuance and post issuance costs. Traditionally twice a year, in the spring and fall, the Bond Bank will consolidate eligible applicants and engage in a bond sale. From application to receipt of funds the bond issuance process usually lasts three to four months. Below is the schedule for the Bond Bank's Spring Issue.

FEBRUARY						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY						
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Wednesday, February 10th

Application Deadline.

Wednesday, March 17th

Application approval (Board Meeting).

Monday, April 5th

Preliminary opinions and loan agreements due from bond counsel of each borrower.

Wednesday, April 7th

Last date for signing school contracts and rates in place for water districts. PUC Approvals due.

Week of April 19th

Maine Municipal Bond Bank Pricing.

Monday, May 10th

Final documents due from bond counsel.

Wednesday, May 19th

Pre-Closing.

Thursday, May 20th

Closing - Bond Proceeds Available (1:00 PM)

If you would like to participate in or have any questions regarding the 2021 Spring Bond Issue, please contact Toni Reed at 1-800-821-1113, (207)622-9386 or tir@mmbb.com.



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